

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CRIMINAL DIVISION

UNITED STATES OF AMERICA,

CASE NO. 00-6040-CR-ZLOCH

Plaintiff,

vs.

DERRICK ANDERSON,

Defendant.

**MOTION FOR RELIEF FROM ORDER PROHIBITING
MEETING WITH PRIVATE COUNSEL**

FILED
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TED CRESPI, P.A., respectfully moves this Honorable Court for relief from order entered by Your Honor prohibiting private counsel from meeting with the Defendant, and in support thereof would show:

1. Counsel has spoken to the Defendant's family, who has explained the problems that arose with the prior attorney whom they had tried to retain. Apparently, the attorney they went to subsequently referred them to two (2) different attorneys, and all three (3) attorneys entered some form of an appearance, causing confusion in the court record and court proceedings.

2. This Honorable Court has since appointed a special Public Defender to represent the Defendant, DERRICK ANDERSON, and has entered an order prohibiting private counsel from meeting with the Defendant.

3. The Defendant is desirous of having counsel speak with him and to represent him. Counsel has not yet entered any formal notice of appearance, as he cannot do that until such time as he meets with the Defendant to discuss the case with

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him and ensures that there is an agreement regarding the conditions of representation.

4. Counsel cannot visit the Defendant at the Federal Detention Center because of the outstanding order.

5. Counsel has spoken with Assistant United States Attorney Terrence J. Thompson briefly about the facts of the case and is confident that if counsel is permitted to visit the Defendant and is retained, the matter will be resolved within a reasonable period of time.

6. The Defendant should have a right to choice of representation under reasonable terms and conditions pursuant to the First, Fifth and Sixth Amendments to the United States Constitution. It is not counsel's intention to do anything to delay or disrupt the Federal proceedings whatsoever. Counsel will either be retained and enter a full notice of appearance by the end of the week, or counsel will not disrupt the present appointment of the special Public Defender.

7. Attempts to contact Assistant U.S. Attorney Terrence Thompson was made, but counsel was advised that Mr. Thompson was out of the office until Tuesday, February 29, 2000.

WHEREFORE, TED CRESPI, P.A., respectfully moves this Honorable Court to enter an order authorizing him to visit with the Defendant, DERRICK ANDERSON, at the Federal Detention Center for purposes of determining permanent representation. (This motion has been dictated and filed without final review and revision because of other court commitments and the necessity of filing and securing a ruling as quickly as possible for representation.)

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was hand delivered this 21st day of February, 2000, to TERRENCE J. THOMPSON, Assistant U.S. Attorney, UNITED STATES ATTORNEY'S OFFICE, 500 East Broward Boulevard, 7th Floor, Fort Lauderdale, Florida 33301.

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By:



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